

**SHARK****Collection Phase**

From	To
"Keith Howard" <KHoward@cwclaw.com>	Sharon Lin/R9/USEPA/US@EPA
CC	BCC
"Gary Levin" <garyl@levinterminal.com> "Jim Cannon" <jimc@levinterminal.com> "Jeffrey Cotsifas" <cotsifas@pacificcorisk.com>	
Subject	Date/Time
FW: Levin-Richmond Terminal/EPA Investigation	07/16/2007 10:27 AM

**Item Body**

The attachment shows the additional sample locations that Levin requests EPA add to is sampling plan for the Lauritzen. As we have discussed Levin is willing to pay any additional costs that EPA may incur because of the additional sample locations. The purpose of the request is to facilitate Levin's potential future dredging of the berth B area. As a result of siltation since the original Lauritzen channel remediation in the 1990s and the inability of Levin to undertake maintenance dredging because of the Superfund status of the Channel, berth B has become less and less usable as a commercial berth. The situation is becoming critical and will soon threaten Levin's economic viability. After the EPA investigation (including the additional locations shown on the attachment) is completed Levin anticipates submitting a work plan to EPA calling for minimal dredging of berth B to keep the terminal viable pending completion the feasibility study and selection a final remedy for the Site by EPA.

The added sample locations have been designed to meet DMMO requirements should future berth B dredging be approved. Should you have any questions regarding the attachment and or this request please do not hesitate to contact me and/or Levin's consultant listed below.

Jeffrey Cotsifas  
President  
Pacific EcoRisk  
835 Arnold Drive, Suite 104  
Martinez, CA 94553  
P: (925) 313-8080  
F: (925) 313-8089  
[cotsifas@pacificcorisk.com](mailto:cotsifas@pacificcorisk.com)

Keith Howard  
Cooper, White & Cooper LLP  
1333 North California Blvd, Suite 450  
Walnut Creek CA 94596  
Phone - 925-935-0700  
Fax 925-256-9428  
e-mail [khoward@cwclaw.com](mailto:khoward@cwclaw.com)

=====

This communication (including any attachments) contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive messages for the addressee), you may

not use, copy or disclose to anyone the message or any information contained in the communication. If you have received the communication in error, please advise the sender by reply e-mail and delete the communication. Nothing in this communication should be interpreted as a digital or electronic signature that can be used to authenticate a contract or other legal document.

IRS Circular 230 Disclosure: In accordance with compliance requirements imposed by the Internal Revenue Service, Cooper, White & Cooper LLP informs you that any tax advice contained in this communication (including any attachments), unless expressly stated otherwise, is not intended and may not be used to (i) avoid penalties that may be imposed on taxpayers under the Internal Revenue Code or (ii) promote, market or recommend to another party any of the matters addressed herein.

=====



LevinTerminal\_Proposed\_Sample\_Locations.pdf